



UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Robert C. Nisenson, LLC  
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**Order Filed on September 28, 2023**  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

In Re:  
Salvatore L. Salzarulo

Case No.: 23-14292  
Hearing Date: \_\_\_\_\_  
Chapter: 13  
Judge: MBK

**ORDER AUTHORIZING  
SALE OF REAL PROPERTY**

Recommended Local Form:  Followed  Modified

The relief set forth on the following pages numbered two (2) and three (3) is  
**ORDERED**.

**DATED: September 28, 2023**

A handwritten signature in black ink, appearing to read "Michael B. Kaplan".  
Honorable Michael B. Kaplan  
United States Bankruptcy Judge

After review of the Debtor's motion for authorization to sell the real property commonly known as 78 Vail Lane, Watchung, New Jersey (the Real Property)

IT IS hereby ORDERED as follows:

1. The Debtor is authorized to sell the Real Property on the terms and conditions of the contract of sale pursuant to 11 U.S.C. §§ 363(b) and 1303.
2. The proceeds of sale must be used to satisfy the liens on the real property unless the liens are otherwise avoided by court order. Until such satisfaction the real property is not free and clear of liens.
3.  In accordance with D.N.J. LBR 6004-5, the *Notice of Proposed Private Sale* included a request to pay the real estate broker and/or debtor's real estate attorney at closing. Therefore the following professional(s) may be paid at closing.

Name of professional: Robert C. Nisenson, Esq.,

Amount to be paid: \$2,500.00

Services rendered: Attorney

OR:  Sufficient funds may be held in escrow by the Debtor's attorney to pay real estate broker's commissions and attorney's fees for the Debtor's attorneys on further order of this court.

4. Other closing fees payable by the Debtor may be satisfied from the proceeds of sale and adjustments to the price as provided for in the contract of sale may be made at closing.

5. The amount of \$ 0 claimed as exempt may be paid to the Debtor.
6. The  *balance of proceeds* or the  *balance due on the debtor's Chapter 13 Plan* must be paid to the Chapter 13 Trustee in the Debtor's case.
7. A copy of the HUD settlement statement must be forwarded to the Chapter 13 Trustee 7 days after closing.
8.  The debtor must file a modified Chapter 13 Plan not later than 21 days after the date of this order.
9. Other provisions:

rev 8/1/15

9. Other provisions: "The lien of PHH Mortgage shall remain on the premises commonly known as 78 Vail Lane, Watchung, New Jersey until the closing proceeds are received and applied by PHH Mortgage pursuant to the payoff letter.

10. Other provisions: "The lien of Avail 1 LLC shall remain on the premises commonly known as 78 Vail Lane, Watchung, New Jersey until the closing proceeds are received and applied by Avail 1 LLC pursuant to the payoff letter.

11. Other provisions: "The lien of Planet Home Lending shall remain on the premises commonly known as 78 Vail Lane, Watchung, New Jersey until the closing proceeds are received and applied by Planet Home Lending pursuant to the payoff letter.

12. All real estate taxes and water and sewer fees will be paid at the time of closing.

13. From the sale proceeds  $\frac{1}{2}$  of the net proceeds shall be paid to Debtor's spouse Lois Salzarulo.

14. The Debtor from his proceeds shall pay the Trustee the balance due to pay all creditors 100% distribution. The balance shall be paid to Debtor from the closing.

15. The provision of Rule 6004(h) shall not be applicable to the matter and the Debtor shall be permitted to sell the property immediately.